

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**RECEIVED**

JAN 18 2008 *fl*

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

CIVIL ACTION

NO. 440-2007-06389

James L Leach )

2507 Anderson Street )

Rockford, IL 61101 )

(Name of the plaintiff or plaintiffs) )

v. )

SBM Maintenance Contractor Inc. )

1438 Brook Dr, Dawpers )

Group IL 60515 )

(Name of the defendant or defendants) )

**08050011**  
*KAPALA*

**COMPLAINT OF EMPLOYMENT DISCRIMINATION**

1. This is an action for employment discrimination.

2. The plaintiff is James Lamont Leach of the  
county of Winnebago (Rockford) in the state of IL/IN

3. The defendant is SBM Maintenance Contractors Inc., whose  
street address is 1438 Brook Dr, Dawpers

(city) \_\_\_\_\_ (county) GROUP (state) IL (ZIP) 60515

(Defendant's telephone number) (815) - 229-9624 / head office  
630-941-3490

4. The plaintiff sought employment or was employed by the defendant at (street address)

520 Phelps Ave (city) Rockford

(county) WINN (state) IL (ZIP code) 61108

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☒ was hired and is still employed by the defendant.
- (c) ☐ was employed but is no longer employed by the defendant.

## 6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) JUNE, (day) 13<sup>th</sup>, (year) 2007.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

(a) The defendant is not a federal governmental agency, and the plaintiff [*check*

*one box*] ☐ *has not* filed a charge or charges against the defendant  
☒ *has*

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) ☒ the United States Equal Employment Opportunity Commission, on or about  
 (month) JUNE (day) 22 (year) 2007.

(ii) ☐ the Illinois Department of Human Rights, on or about  
 (month) 12 (day) 26 (year) 2007.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is

attached. ☒ YES. ☐ NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

## 7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

☒ Yes (month) 6<sup>th</sup> (day) 22 (year) 2007

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) \_\_\_\_\_  
(day) 19 (year) 2007.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ YES ☐ NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☒ YES ☐ NO, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) 10 (day) 19 (year) 2007 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [*check only those that apply*]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant *[check only those that apply]*
- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): \_\_\_\_\_
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

1. Everyone promoted worked for GCA as day mechanic or night Lead  
 2. chosen were 3 Caucasians 1 Hispanic or Mexican  
 3. NEVER Posted for Blacks or women or anyone or on Postal or Boards.  
 4. Can Prove statement from them were false and words tampered.  
 5. Never got interview or never was given reason why not chosen.  
 6. only one's promoted was let known of managers position.  
 7. will be able to show statements from others of my character.

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff  
**[check only those that apply]**

- (a) ☐ Direct the defendant to hire the plaintiff.  
 (b) ☐ Direct the defendant to re-employ the plaintiff.  
 (c) ☐ Direct the defendant to promote the plaintiff.  
 (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.  
 (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.  
 (f) ☒ Direct the defendant to (specify): Tell The Truth

- ✓
- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

James Lamont Leach

(Plaintiff's name)

James Lamont Leach

(Plaintiff's street address)

2507 Anderson St

Rockford

(City) Rockford (State) IL (ZIP) 61101

(Plaintiff's telephone number) (815) - 601 - 7061

Date: 1-16-08

1  
It was a Monday May 10th 2007 I  
James Leach talked with Mike Nelson  
and he is my regional district manager  
for D.C.A. Services group and  
April Ashford a day porter at Auburn  
high school about his job and  
how could we get to be put in  
his shoes a regional district manager  
and stated just put your resume on  
your clip board, and I'll pick it up on  
Thursday with pay roll sheets, and  
then Mike stated to April Ashford  
you can put yours on the clip board  
too, and laugh with her, and me and  
April said no she didn't want to  
do that she was happy with her  
day position, and then I brought  
one in and let it on the clip board  
with my time sheet and Mike picked  
it up, and left the school we got  
too talking about how he was being demoted  
from his position as Regional District manager  
position so he had found a mother job  
at some place he had to go take the drug  
test, and interview so after that Mike Nelson  
brought on June 15th 2007 Al Wesscott

2.

too Auburn High School, and stated Alwesscott was our new Regional District manager, but to note Al was at Guilford High School only working for G.C.A. a little over one year and I had almost two years with the company and I was never given an interview or was my resume thrown away we had a secretary but they got rid of her and out rid of Mike I don't know what they did with it but each time there were new managers it was three whites and one mexican or hispanics and all of them were day or night porters or mechanics as I was, and I gave him a resume and I feel I never got a chance and Mike was our contact to what goes on in G.C.A. He was our boss over at Auburn High School District 205 and all four of them there were no posting of them position to the rest of us blacks and women they just put them in and that was it so I filed with E.E.O.C. commissioner

3 (Harassment)

On September 4, 2007 I was approached and harassed by Al Wesscott he pulled me away from the dumpster where I was taking out trash me and Les Cofield Head Janitor at Auburn High School, and Al stated they don't tolerate no call no show but I didn't have one told Al three days in a row of me going to traffic court let him know on Monday and on Tuesday and on my court day September 5, 2007 I only work part time four hours from 10:00 A.M. to 2:00 P.M. At about 1:30 I called Al Wesscott and let him know that I just got out of court so do you want me to come in for thirty minutes he said no les and April is ok so you just come in tomorrow so on Friday the 7th of September 2007 Al Wesscott said James Leach I am going to write you up for no call no show I James Leach let him know that he said to not come in and gave him three days of telling him that I had to go to court.

4. (Harassment)

On September 7, 2007 I told Ali Weissert that he had two days to think about he was going to write me up, and that harassment because G.C. A Services Group know of my law suit against them, and they sent false documentation against me James Leach and false state ments about Auburn High School Assistant principal and the Principal of the school, and state I had problems with them, and others at the school and after there false stories and fixing up of papers and rewording word and statements given by others to make E. E. O. C drop my case against them, and I can prove from witness statements that all was said was false, and they associated my carture, and after they got wind of E. E. O. C. dismissal they E. E. O. C. contacted them letting them know so I have been harassed on October 24, 2007 Ali Weissert told me that I needed proof of me going to Dr. Appointment but when other go appointment they did not have to show excuses of no kind.

## 5. (Harassment)

On 11-20-07 I James Leach call Bill Milano the D.C.A. boss over Al Wesscott and stated to Bill that Al said to everyone it was their choice if they want to work for Wednesday half a day or five hours before Thanksgiving day on Thursday 11-22-07, and at that time I James Leach was having fuel pump problems with my car so I was having trouble getting around so when I called Bill Milano, and let him know that I told Les Cofield the head janitor at Auburn High School I was not coming in on 11-21-07 because I had a doctor appointment and having problems with my car, and getting a ride to places so when I came in on 11-20-07 there was a sign up sheet in our office for G.C.A. at Auburn, and people could sign up if they wanted to work on 11-21-07 and I James Leach had not signed it but when I came in on 11-20-07 my name was put on it and I went to Les Cofield, and asked him if he knew how my name got put down on sheet he stated Al Wesscott told him to put it on the sheet.

## b. (Harassment)

On 11-20-07 my name was put on a sheet or sign up sheet to work from 10 am - 2 pm on 11-21-07 so I called Bill Milano and told him I had said I was going to take 11-21-07 off after Al Wesscott said it was our choice because there were no kids at school on 11-21-07 and Bill Milano over road what Al Wesscott said so he made the statement he's calling people so he told Les Cofield which did the food cafeteria lunch tables lifting and folding them up everyday, and Al Wesscott told Les not to do the tables that same day I called on him stated to Les let James do the tables for now on because he was mad about me calling Bill so I feel he was trying to punish me for going over his head, and Al tried to write me up for not lifting tables because my back, and shoulder was hurting me so I let the two women that was doing the lifting together do it because one was hired just for cafe tables and clean up.

7 (Harassment)

On november 28, 2007 on a wednesday  
I James Leach was told by Al wescott  
to leave Auburn High School property  
because we had words about he said  
did he tell you I said to help those  
girls let tables on 11-26-07 that  
monday and I stated they all ways  
do it together the two women, and I  
didn't have to help them or it don't  
take three people do it, and that was  
his way he thought he could write  
me up for not following direction  
from him but it was stated in front  
of others so he could write me up  
and that's Harassment when that was  
their job those two women so

your honor could you please consider  
this as Harassment, Discrimination,  
Falsifying information, Assignating my  
cariture, Reaffirmation of cariture, and also  
Alwescott said to some one James lose  
his little case.

your true Mr James Leach

"Thanks for your time  
Sir!"



**ROCKFORD AUBURN HIGH SCHOOL ATHLETICS**

5110 Auburn Street Rockford, IL 61101  
School Phone: (815) 966-3300 – Fax: (815) 489-5508

Bill Lavery  
Athletic Director (815) 966-3300 x 3592

To whom it may concern:

I had some boxes that came in for athletics and James and another GCA employee helped me bring them to a storage closet on a cart. As I was in the closet putting the boxes away I heard James make a grunting sound from outside the closet door. As I went out to see what had happened, I saw James holding his back that he said he had hurt while trying to lift the boxes off the cart. The boxes were extremely heavy; however I really never saw exactly what had happened.

I have known James for the last two years and he is a very hard worker. He was always there when I needed him to attend to something at Auburn High School. He always had a great attitude and worked extremely hard at keeping the high school looking clean and presentable. I never have had an issue or problem with James since I have known him. If you have any questions you can call me at (815) 966-3300 ext. 3592  
Sincerely,

A handwritten signature in cursive script that reads "Bill Lavery".

Bill Lavery  
Athletic Director  
Auburn High School

ILLINOIS DEPARTMENT OF  
 **Human Rights**

Rod R. Blagojevich, Governor  
Rocco J. Claps, Director

November 29, 2007

Mr. James L. Leach  
2507 Anderson St.  
Rockford, IL 61101

**Re: Leach vs SBM Maintenance Contractors, Inc., Control No.: 080927047**

The United States Equal Employment Opportunity Commission (EEOC) and the Illinois Department of Human Rights (Department) are parties to a cooperative agreement. Under this agreement, when you filed your charge of discrimination with the EEOC it was automatically filed with the Department. The Department is keeping a copy of your EEOC charge on file to preserve jurisdiction under Illinois law.

This letter is to inform you that you may proceed with your charge at the Department. **This does not affect the processing of your charge at EEOC.** If you wish to proceed with the Department, you must notify the Department in writing of your decision, either by mail or in person, within 35 days of receipt of this letter. **Please include the Control Number indicated above on the letter you send to the Department regarding this charge.**

**By Mail:** Your written decision should be sent via U.S. Postal certified mail, return receipt requested, to: IL Department of Human Rights, Attn: EEOC Referred Charges/Intake Unit, 100 W. Randolph St., Ste. 10-100, Chicago, IL 60601.

**In Person:** You must bring an original and one copy of your written decision. The Department will stamp the copies and one will be returned to you for your records.

You should also provide to the Department (Attn: EEOC Referred Charges/Intake Unit) a copy of the EEOC Determination and Findings as soon as you receive them from the EEOC. When the Department receives your documents, you will be mailed a letter containing additional information about your case.

Your failure to timely notify the Department of your decision will result in the Department closing your file. If you do not wish to proceed with the Department, you do not need to take any further action.

As stated above, this letter does not affect the processing of your charge at the EEOC, and does not apply to any settlement of this charge the parties have made with the EEOC. **If you have any questions regarding this process, please contact Thomas F. Roeser, Pre-Investigations Coordinator, at (312) 814-6295. Please do not contact the EEOC.** It is not necessary that Respondent take any action at this time.

THE DEPARTMENT OF HUMAN RIGHTS

**CC: Director of Human Resources  
SBM Maintenance Contractors, Inc.  
1438 Brook Dr.  
Downers Grove, IL 60515**

12/26/07

**ATTENTION!!! IL Department of Human Rights**  
**E E O C Referred Charges/Intake Unit**

To Whom It May Concern:

I James L. Leach, would like to give permission to Human Rights to obtain any, and **ALL** information pertaining to a lawsuit, I would like to file against G C A Services Group. I am filing a lawsuit for a multitude of things such as: discrimination, defamation of character and falsifying information of my disciplinary files and work ethics.

Thank you

James L. Leach

James L. Leach 12/26/07

EEOC# : 440-2007-06289  
Dec. 26, 2007

ATTENTION!!!! JOHN P. ROWE  
DISTRICT DIRECTOR FOR EEOC

I James L. Leach respectfully request that EEOC re-opens my case(s) filed on June 22, 2007 9:36 am; against my employer GCA Services Group. I have useful statements from the school's assistant principal stating my overall character and work ethics at Auburn High School. All information was totally fabricated and the matter-at-hand was never professionally taken care of or documented.

I am asking that you look a little deeper into this case because the first issue is discrimination; which I have a letter from Ms. Avery stating she was never offered the job; just told about it, so it WOULD NOT look like discrimination. Also I have a typed statement from the school's assistant principal Ms. Statler, that the school loves my work performance and has never had a problem with me in my 2 years of employment.

Thank You

James L. Leach

*James L. Leach* 12/26/07

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **James L. Leach**  
**2507 Anderson Street**  
**Rockford, IL 61101**

From: **Chicago District Office**  
**500 West Madison St**  
**Suite 2800**  
**Chicago, IL 60661**

CERTIFIED MAIL 7099 3400 0014 4054 1955

☐

On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**440-2007-06389**

**Ernestine Harris,**  
**Enforcement Supervisor**

**(312) 886-7490**

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.

☐

Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.

☐

While reasonable efforts were made to locate you, we were not able to do so.

☐

You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

On behalf of the Commission

*John P. Rowe*  
**John P. Rowe,**  
**District Director**

*10/19/07*  
 (Date Mailed)

cc:

**SBM MAINTENANCE CONTRACTORS, INC**

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐

FEPA

☒

EEOC

**440-2007-06389**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Mr. James L. Leach**

Home Phone (Incl. Area Code)

**(815) 601-7061**

Date of Birth

**03-08-1970**

Street Address

City, State and ZIP Code

**2507 Anderson Street, Rockford, IL 61101**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**SBM MAINTENANCE CONTRACTORS, INC**

No. Employees, Members

**201 - 500**

Phone No. (Include Area Code)

**(815) 229-9624**

Street Address

City, State and ZIP Code

**1438 Brook Dr., Downers Grove, IL 60515**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒

RACE

☐

COLOR

☐

SEX

☐

RELIGION

☐

NATIONAL ORIGIN

☐

RETALIATION

☐

AGE

☐

DISABILITY

☐

OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

**05-15-2007****06-13-2007**☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was hired as a Day Mechanic by Respondent on September 4, 2005. On or about June 13, 2007 I was denied a promotion.

I believe I have been discriminated against because of my race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended.

**RECEIVED EEOC****JUL 24 2007****CHICAGO DISTRICT OFFICE**

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

**7-20-07**

Date

**James Leach**

Charging Party Signature

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**Chicago District Office**

500 West Madison St., Suite 2800  
Chicago, IL 60661

PH: (312) 353-2713  
TDD: (312) 353-2421  
ENFORCEMENT FAX: (312) 886-1168  
LEGAL FAX: (312) 353-8555

July 30, 2007

Mr. James Leach  
2507 Anderson Street  
Rockford, IL 61101

Re: Charging Party: Mr. James Leach  
Respondent: SBM Maintenance Contractors, Inc.  
EEOC Number: 440-2007-06289

Dear Mr. Leach:

This is to inform you that I have been assigned as the Investigator for your charge. Presently, I am waiting to receive evidence from the Respondent that you charged with discrimination. When all of this information has been received and analyzed, I will be able to determine what additional steps are appropriate. At any point in this process, I will welcome whatever additional input you may have regarding your charge.

The large inventory of cases currently under investigation in our office may affect the length of time needed to process your charge. You should expect that it will generally require at least six months. We understand that you may be very concerned about your charge when you have not been in contact with us for several weeks or months. Please be assured that the Commission is committed to investigating your charge as expeditiously as possible. We regret that our staff size does not permit us to provide you with more frequent interim contacts without slowing the progress of our investigations. We ask for your understanding and cooperation in this regard.

If it is necessary for you to contact me regarding the investigation of your charge, you may write to me at the above address. Also, if you wish to submit additional information, or report additional complaints of discrimination to us, including reprisal by Respondent against you for filing your present charge, you may do so by writing, or faxing (see fax number above), or by phoning me; I can be reached at (312) 353-5543, between the hours of 8 A.M. and 4 P.M., Monday through Friday.

Sincerely,

*Sarita Gaddis*

Sarita Gaddis  
Investigator Support Assistant



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Chicago District Office**

500 West Madison Street, Suite 2800  
Chicago, IL 60661  
National Contact Center: (800) 669-4000  
National Contact Center TTY: (800) 669-6820  
Chicago Status Line: (866) 408-8075  
Chicago Direct Dial: (312) 353-2714  
TTY (312) 353-2421  
FAX (312) 353-4041

January 10, 2008

James Leach  
2507 Anderson St.  
Rockford, IL 61101

RE: EEOC Charge No.: 440-2007-06389  
Charging Party: James Leach  
Respondent: Maintenance Contractors

Dear Mr. Leach:

Enclosed is a copy of the above reference file you requested. If you have any questions, please contact me at (312) 353-5543.

Sincerely,

Sarita Gaddis  
Section 83 Coordinator  
[Sarita.gaddis@eeoc.gov](mailto:Sarita.gaddis@eeoc.gov)

EEOC FORM 131 (5/01)

## U.S. Equal Employment Opportunity Commission

**SBM MAINTENANCE CONTRACTORS, INC**  
**1438 Brook Dr.**  
**Downers Grove, IL 60515**

PERSON FILING CHARGE

**James L. Leach**

THIS PERSON (check one or both)

☐

Claims To Be Aggrieved

☐

Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

**440-2007-06389****NOTICE OF CHARGE OF DISCRIMINATION**

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

☒

Title VII of the Civil Rights Act

☐

The Americans with Disabilities Act

☐

The Age Discrimination in Employment Act

☐

The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☒ Please provide by **24-AUG-07** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☐ Please respond fully by \_\_\_\_\_ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by \_\_\_\_\_ to \_\_\_\_\_

If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

**Sarita D. Gaddis,**  
**Investigator Support Asst**

EEOC Representative

Telephone **(312) 353-5543**

**Chicago District Office**  
**500 West Madison St**  
**Suite 2800**  
**Chicago, IL 60661**

Enclosure(s):



Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☒

RACE

☐

COLOR

☐

SEX

☐

RELIGION

☐

NATIONAL ORIGIN

☐

AGE

☐

DISABILITY

☐

RETALIATION

☐

OTHER

**See enclosed copy of charge of discrimination.**

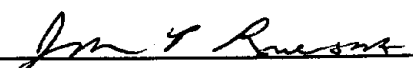
Date

**July 24, 2007**

Name / Title of Authorized Official

**John P. Rowe,**  
**District Director**

Signature



EEOC Form 212-A (3/98)

## U.S. Equal Employment Opportunity Commission

TO: **Illinois Department Of Human Rights**  
**100 West Randolph Street**  
**Floor 10-100**  
**Chicago, IL 60601**

Date **July 24, 2007**  
 EEOC Charge No.  
**440-2007-06389**  
 FEPA Charge No.

## CHARGE TRANSMITTAL

## SUBJECT:

**James L. Leach**

v.

**SBM MAINTENANCE CONTRACTORS, INC***Charging Party**Respondent*

Transmitted herewith is a charge of employment discrimination initially received by the:

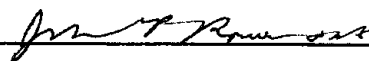
☒ EEOCon **July 24, 2007***Name of FEPA**Date of Receipt*☒ Pursuant to the worksharing agreement, this charge is to be initially investigated by the EEOC.☐ Pursuant to the worksharing agreement, this charge is to be initially investigated by the FEPA.☐ The worksharing agreement does not determine which agency is to initially investigate the charge.☐ EEOC requests a waiver☐ FEPA waives☐ No waiver requested☐ FEPA will investigate the charge initially

*Please complete the bottom portion of this form to acknowledge the receipt of the charge and, where appropriate, to indicate whether the Agency will initially investigate the charge.*

Typed Name of EEOC or FEPA Official

**John P. Rowe**

Signature/Initials

**James L. Leach**

v.

**SBM MAINTENANCE CONTRACTORS, INC***Charging Party**Respondent*

## TO WHOM IT MAY CONCERN:

☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention to initially investigate the charge.☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention not to initially investigate the charge.☐ This will acknowledge receipt of the referenced charge and request a waiver of initial investigation by the receiving agency.☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention to dismiss/close/not docket the charge for the following reasons:

Typed Name of EEOC or FEPA Official

**Rocco J. Claps**

Signature/Initials



TO: **Chicago District Office**  
**500 West Madison St**  
**Suite 2800**  
**Chicago, IL 60661**

Date **July 24, 2007**  
 EEOC Charge No.  
**440-2007-06389**  
 FEPA Charge No.

EP. OF HUMAN RIGHTS  
 JUL 30 2007  
 RECEIVED



**U.S. Equal Employment Opportunity Commission  
Chicago District Office**

500 West Madison St  
Suite 2800  
Chicago, IL 60661  
(312) 353-2714  
TTY (312) 353-2421  
FAX (312) 353-4041

James Leach  
2507 Anderson Street  
Rockford, IL 61101

Re: Respondent: SBM Maintenance Contractors Inc  
EEOC Charge No.: 440-2007-06389

Dear Mr. Leach:

Enclosed is a draft of your charge of employment discrimination. The information you have provided indicates that the matter complained of may be a violation of one or more of the following laws:

- ☒ Title VII of the Civil Rights Act of 1964 (Title VII)
- ☐ The Age Discrimination in Employment Act (ADEA)
- ☐ The Americans with Disabilities Act (ADA)
- ☐ The Equal Pay Act (EPA)

To facilitate proper handling of this action by the Commission you should:

- (x) Review all the information on the enclosed charge form. If you feel a correction should be made, please call me at (312) 353-5543 to discuss.
- (x) SIGN AND DATE ALL FOUR (5) COPIES OF THE CHARGE in the bottom left hand block where indicated by an "X".
- (x) Return by mail all copies of the signed and dated charge.

Since a charge must be processed within the time limitations imposed by law, I urge you to complete the steps indicated as soon as possible. Please call me at (312) 353-5543 if you have any questions.


- (x) If you do not return your signed and dated charge to us within thirty (30) days of receipt, or otherwise contact us, your charge may be dismissed. Also, at certain critical stages of the investigation, it may be necessary (for legal reasons) for the Commission to send material by certified mail, return receipt requested. Therefore, you must be sure to claim all such mail while the charge is being processed.

You should be aware that the Commission will cross-file your charge to the Illinois Department of Human Rights ("IDHR") in accordance with our procedures.

Sincerely,

7/17/08

Date

  
Sarita Gaddis  
Investigator Support Asst  
(312) 353-5543

Enclosures



RECEIVED EEOC

JUL 16 2007

# EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

CHICAGO DISTRICT OFFICE

Please immediately complete the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. **Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating "not known."** If a question is not applicable, write "n/a."

(PLEASE PRINT).

## 1. Personal Information

Last Name: Leach, First Name: James MI: L  
 Street or Mailing Address: 2507 Anderson St Apt Or Unit #: \_\_\_\_\_  
 City: Rockford County: \_\_\_\_\_ State: IL Zip: 61101  
 Phone Numbers: Home: (815) 601-7061 Work: (815) 966-3300  
 Cell: (815) 601-7061 / (815) 516-3257 Email Address: \_\_\_\_\_  
 Date of Birth: 03-08-70 Sex: Male M Female \_\_\_\_\_ Race: Black  
 National Origin / Ethnicity: African American Do You Have a Disability? Yes ☐ No ☒

Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Carrie Hill Relationship: Grand mother  
 Address: 807 Hall Court City: Rockford State: IL Zip Code: 61101  
 Home Phone: (815) 968-1711 Other Phone: (815) 601-7063

I believe that I was discriminated against by the following organization(s): (Check those that apply)

Employer X Union \_\_\_\_\_ Employment Agency \_\_\_\_\_ Other (Please Specify) \_\_\_\_\_

## 2. Organization Contact Information

Organization #1 Name: G C A Services Group or SBM Maintenance Contractor  
 Address: 1438 Brook Drive County: \_\_\_\_\_  
 City: Downers Grove State: IL Zip: 60515 Phone: (815) 229-9624  
 Type of Business: Janitorial Job Location if different from Org. Address: \_\_\_\_\_  
 Human Resources Director or Owner Name: (Bill Milano) Branch Regional Manager Phone: (815) 229-9624  
 Number of Employees in the Organization at All Locations: Please Check (✓) One  
 Less Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☒ More 500 ☐

Organization #2 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ County: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Type of Business: \_\_\_\_\_ Job Location if not at Org. Address: \_\_\_\_\_

Human Resources Director or Owner Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Number Of Employees In The Organization At All Locations: please check (✓) one

Less Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☐ More 500 ☐

## 3. Your Employment Data (Complete as many items as you can)

Date Hired: 9/4/05 Job Title At Hire: Day MechanicPay Rate When Hired: \$9.50 Last or Current Pay Rate: \$10.70Job Title at Time of Alleged Discrimination: Day MechanicName and Title of Immediate Supervisor: Bill MilanoIf Applicant, Date You Applied for Job 5/15/07 Job Title Applied For Regional ManagerGave Resume Let on pay roll clip Board

## 4. What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you are over the age of 40 and feel you were treated worse than younger employees or you have other evidence of discrimination, you should check (✓) AGE. If you feel that you were treated worse than those not of your race or you have other evidence of discrimination, you should check (✓) RACE. If you feel the adverse treatment was due to multiple reasons, such as your sex, religion and national origin, you should check all three. If you complained about discrimination, participated in someone else's complaint or if you filed a charge of discrimination and a negative action was threatened or taken, you should check (✓) RETALIATION.

Race ☒ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Color ☒ Religion ☐ Retaliation ☐ Pregnancy ☐Other reason (basis) for discrimination (Explain): Job was never post to G.C.A employees (Blacks) or women  
only to whites, Mexican

## 5. What happened to you that you believe was discriminatory? Include the date(s) of harm, action(s) and include the name(s) and title(s) of the persons who you believe discriminated against you. (Example: 10/02/06 - Written Warning from Supervisor, Mr. John Soto)

A) Date: 5/15/07 Action: Gave Resume To Michael Gilson for Regional Manager

position put on clip board with pay roll sheets never here any thing until they gave me  
Person position Al Wesscott he worked at Guildford High school as Day Mechanic

B) Date: \_\_\_\_\_ Action: \_\_\_\_\_

Name and Title of Person(s) Responsible \_\_\_\_\_

Describe any other actions you believe were discriminatory.

Will Steve Achero, Michael Wilson, Al Wesscott, David  
Hernandez which is Mexican others are all white males  
were given Branch Regional managers positions, and all were  
G.C.A staff workers or Day mechanics just like I'm  
one and never was their jobs as Regional managers  
were post for everyone else they just put them in those  
spots and Al Wesscott only had 1 years working for G.C.A NO

(Attach additional pages if needed to complete your response.) experience and I James Heath  
have almost 2 yrs with them and never  
given chance.

#7

Well I feel I was discriminated against when they gave Al Wesscott the Regional managers position on June 13, 2007 and he had the same job title as I did and it was given to him, and not even posted for me or others with the same title and I feel Bill Milano which is the Big Regional manager over all the rest of the Regional managers said before he got this big position said he wish he could fire all the blacks, and keep the white and mexicans be they know how to work, and it shows he uses his position to put whites, and mexicans in those position, and left out blacks by not posting the openings and putting whom they wanted too.

6. What reason(s) were given to you for the acts you consider discriminatory? By whom? Title?

well Mike Wilson just say know these people  
do what they want to do and I turn in your Resume  
I don't know if it go thrown away or not in a bidding  
kind of way and they put who they want when they want to.

7. Name and describe others who were in the same situation as you. Explain any similar or different treatment. Who was treated worse, who was treated better, and who was treated the same? Provide race, sex, age, national origin, religion, and/or disability status of comparator if known and if connected with your claim of discrimination. Add additional sheets if needed.

Full Name	Job Title	Description
1. Al Wescott	was Day Mechanic	now Regional Manager
2.		
3.		

Answer questions 8-10 only if you are claiming discrimination based on disability. If not, skip to question 11.

8. Please check all that apply:
- ☐ Yes, I have an actual disability
- ☐ I have had an actual disability in the past
- ☐ No disability but the organization treats me as if I am disabled

9. If you are alleging discrimination because of your disability, what is the name of your disability? How does your disability affect your daily life or work activities, e.g., what does your disability prevent or limit you from doing, if anything? (Example: lifting, sleeping normally, breathing normally, pulling, walking, climbing, caring for yourself, working, etc.).

10. Did you ask your employer for any assistance or change in working condition because of your disability?  
YES ☐ NO ☐

Did you need this assistance or change in working condition in order to do your job?  
YES ☐ NO ☐

If "YES", when? \_\_\_\_\_ To whom did you make the request? Provide full name of person \_\_\_\_\_ How did you ask (verbally or in writing)? \_\_\_\_\_

Describe the assistance or change in working condition requested?

11. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and indicate what they will say. Add additional pages if necessary.

	NAME	JOB TITLE	ADDRESS & PHONE NUMBER
A.	Leon Foster	Day Mechanic	1108 Oakley Ave (815) 965-1681

	NAME	JOB TITLE	ADDRESS & PHONE NUMBER
B.	Les Cotfield	Day Mechanic	Pierpont Ave (815) 964-7622

They will say their were no posting for Blacks only whites, mexicans,

	NAME	JOB TITLE	ADDRESS & PHONE NUMBER
C.	Bill Warran	(Union Rep)	chicago area 773-875-4004

12. Have you filed a charge previously in this matter with EEOC or another agency? YES ☐ NO ☒

13. If you have filed a complaint with another agency, provide name of agency and date of filing:

14. Have you sought help about this situation from a <sup>(Rep)</sup> union, an attorney, or any other source?  
YES ☒ NO ☐ - If yes, from whom and when? Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Bill Warran (Union Rep) 6/14/07 773-875-4004 Talked about what was going on with positions

James Lamont Leach  
Signature

7-2-07  
Today's Date

If you have not heard from an EEOC office within 30 days of mailing this form, please call toll-free number shown on the letter accompanying this form. Provide the tracking number on the attached cover letter. Please make a copy of this form for your records before mailing.

**PRIVACY ACT STATEMENT:** This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Intake Questionnaire (10/2006).
2. **AUTHORITY.** 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626, 42 U.S.C. 12117(a)
3. **PRINCIPAL PURPOSE.** The purpose of this questionnaire is to solicit information in an acceptable form consistent with statutory requirements to enable the Commission to act on matters within its jurisdiction. When this form constitutes the only timely written statement of allegations of employment discrimination, the Commission will, consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(b), consider it to be a sufficient charge of discrimination under the relevant statute(s).
4. **ROUTINE USES.** Information provided on this form will be used by Commission employees to determine the existence of facts relevant to a decision as to whether the Commission has jurisdiction over allegations of employment discrimination and to provide such charge filing counseling as is appropriate. Information provided on this form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. Information may also be disclosed to respondents in connection with litigation.
5. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION.** The providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge of discrimination. It is not mandatory that this form be used to provide the requested information.

NOTE:

Phone Interview

James Leach vs SBM Maintenance Contractors, Inc  
Promotion

PCP was the only black who applied for the position Branch General Manager.

PCP stated that there were a total of 4 employees who were promoted to the position of Branch General Manager of the four 1 was Hispanic and the others were White.

Al Wesscot, Steve Ackers, Michal Gilson and David Hernades.

They all had the same job title as cp Day Mechanic.

PCP also stated that Bill Milano head Regional Manager would make comments that if he had his way that their would be no Blacks working under him just whites and Hispanics because they knew how to really work. PCP stated Bill made these types of comments but not directly at PCP.

440 2007 06389

7/17/07  
efr msc

DOH 9/4/05-  
DOEP . 5/15/07

#ees

Sup

Bill Milano (white)  
Position title - Day Mechanic

Harm - RB

Issue - P3

~~Basis - Nat'l Origin - Color -~~

(w/ R No longer)

Comparatives: Steve Ackers, Michael  
Gilson, Al Wescott, David Hernandez (H)  
all are white & promo to Branch Regional Mgr.  
Reason for not being promo.

hired 9/4/05  
Promo given to someone else 5/15/07  
#ees?

Supervisor - Bill Milano  
PCP job Title - Day Mechanic

Race -

Promo -

experience -



# GCA Services Group™

**To: Sarita D. Gaddis**  
**Investigator Support Assistant**  
**500 West Madison Street**  
**Suite 2800**  
**Chicago, IL. 60661**

**Re: Notice Of Charge Of Discrimination**  
**Person Filing Charge – James L. Leach**  
**EEOC Charge No. 440-2007-06389**

The following is GCA Services Group response to the **Notice Of Charge Of Discrimination – James L. Leach – EEOC Charge No. 440-2007-06389:**

## Employment History:

James L. Leach was hired by GCA Services Group to work as a custodian in the Rockford School District on 19 September 2005.

1 July 2006 He received a contract increase raise.

31 July 2006 He was promoted from a custodian to a Day Mechanic

1 July 2007 He received a contract increase raise.

6 June 2007 He asked for a Leave of Absence for personal reasons and left on 7 July 2007. *not true ask 7-2-07 monday went to see Rose*

*Ralph (died)  
6-27-07*

During Mr. Leach's employment with GCA Services Group in Rockford IL. – he did not express any interest in being promoted to management. (See Attached Statements From Managers at Rockford School District GCA Services Group Management.

**Statement from Steve Gritzuk (Caucasian) – GCA Services Group Midwest Senior Regional Manager - Rockford School District – 3 August 2007.**

On June 26<sup>th</sup>, 2007 Steve Gritzuk and Alfred Westcott inspected Auburn School due to complaints regarding the lack of summer progress. Upon inspection Steve G. noticed the school was approximately 20% behind the comparable high schools in Rockford 205.

Steve Gritzuk was approached by the Assistant Principal, Mrs. Statler. She stated that she repeatedly asked James Leach to remove a trash filled utility cart, in which he had not removed upon her request.

James was called and questioned about the cart. He stated it was nasty and he needed help in removing it. The situation was accessed and there were active roaches.



## GCA Services Group™

After the utility removal, James and Steve spoke about Auburn status. James stated Auburn was "busy and had too many kids" (overpopulated). He had no explanation of why the building was behind, except that the asst. principal was not reasonable.

As they spoke about how he was doing he stated that things were fine. Steve has known James for a while and initially placed him with Auburn due to his solid performance. He has already been promoted to Day Mechanic, properly trained, with the highest paid hourly position.

At no point during this conversation, or any other time in which Steve has worked with James did he ever express a desire to be considered for management. James never spoke of it to Bill Milanos, (Regional Manager) either.

GCA has posted openings for Asst Managers and Managers positions internally and in the Rockford Register Star. Never did he apply or express a desire to apply.

Based upon his performance at Auburn, unfortunately Steve would not consider James Leach as a candidate for a management position. To date, James has failed the pool test twice in the past year. His job performance has been boarder line at best by the principal and most district personnel including Harry Wicherson, our primary contact.

James is the contact at the school and there were complaints about poor communication between shifts and the school staff, which is normally a primary Day Mechanic responsibility.

Auburns pool, which is James responsibility, had to be cleaned twice to remove the scale and yellow discoloration due to inconsistent cleaning practices. The records were not kept at 100% as required. James did not show the leadership needed to maintain the building daily.

- **Augustine Meza (Hispanic)** is an Asst Manager. He has given 110% daily and completed every task on time.
- **Jerry Clark (Caucasian)** is an Asst Manager. He has been very helpful with the summer clean involved with 6 buildings up to this point.
- **Marquis Taylor (African American)** has been spoken with by Bill Milanos personally discussing the strong chance he will be promoted to Asst Manager based on his strong performance during this summer clean.
- **Yonette Avery (African American female)** was offered a position as Area Manager last year 2006 and turned it down. She was offered the position again in the spring and turned it down again. Bill has recently spoken with her and she feels now is a better time for her and would like to be reconsidered.



## GCA Services Group™

To recap, James has not displayed the skills or made the effort to learn the skills needed to be considered for the position of Area Manager or Assistant Manager. His building, pool and work ethic have shown this. If these things were change in the future, we could consider James Leach for a Management spot on the Rockford team – but – as stated before he has not shown interest or mentioned it to any management in GCA @ - 843-469-3568.

**Statement from Bill Milanos (Caucasian) – GCA Services Group - Midwest Regional Manager - Rockford School District – 3 August 2007.**

Mr. Leach has never approached me or any of my team related to being interested or promoted to a management position with GCA Services Group within the Rockford School District.

Mr. Leach's performance has not warranted consideration for a management position at the present time. @ 815-227-9624

**Statement from Ms. Yonette Avery (African American) – Hourly Lead Custodian – GCA Services Group – Rockford School District.**

Bill Milanos offered me, Ms Yonette Avery, a supervisor position with GCA Services Group in 2006. However, I declined the offer due to me not having enough knowledge about the company's expectations. Now that there are management positions available and I know what is expected from me as a supervisor, not saying that there aren't a few things I need to learn to be successful in this field. With the knowledge I have at this time, I know that I am capable and qualified for the position.

I learned of the openings through my manager and postings of jobs in the break room. If there are any questions, comments and or concerns please contact me, Ms. Yonette Avery @ 815-378-5111.



## GCA Services Group™

### Current Rockford School District Ethnicity

#### Hourly Employees:

101 African Americans:  
69 Caucasian  
42 Hispanic  
8 Bosnian  
2 Russian  
1 French  
**223 Total**

#### Management Employees:

5 Caucasian Managers

**Note:** In the Last 12 months (4) four Managers have left the Rockford School District:  
2 – Caucasian 2 - Hispanic

#### Gender:

103 Females  
120 Males  
**223 Total**

### Management and Hourly open position procedure – Rockford GCA School District:

1. Hourly employees are given the opportunity to increase their positions and wages by notification on bulletin boards and employee/management meetings. The posting of job openings is part of the SEIU Local 1 Contract Agreement between GCA and the union.
2. Ads are placed in the local Rockford Register Star News Paper. This procedure is used for hourly and management positions when needed.
3. All Resumes are reviewed that are submitted and interviews conducted when current employees express interest in any open position.

### Additional Background Information: Bill Milanos Statement 8 August 2007

James Leach requested a six month leave of absence on 6 June 2007 and left on 7 July 2007. By the contract agreement with the SEIU Local 1 GCA Services Group can only grant 30 day leaves of absence other than FMLA. He was given six months to return to work and guaranteed his Day Mechanic position for 90 days. '



## GCA Services Group<sup>TM</sup>

**Attachments:**

**GCA Forms – Leave of Absence – Rate Increase - Equal Employee Opportunity Survey**

**GCA Form – Hiring Form**

**Cc: James P. Sostak – Vice President**

**Bernie Decker – Human Resource Vice President**

**Steve Gritzuk – Senior Regional Manger**

**Bill Milanos – Regional Manager**



GCA Services Group, Inc.™

## HOURLY EMPLOYMENT APPLICATION

### GENERAL INSTRUCTIONS

1. Complete the application in its entirety with black or blue ink.
2. Specify the position for which you are applying.
3. Sign and date application where indicated. All provided information is subject to verification.
4. Submit the application to the location where the position is located.

### FOR OFFICIAL USE ONLY

Authorized Signature

Date

Co / Div

Site

Special Salary

### POSITION APPLIED FOR

Location Address

Position

Referral Source

Date Available

Days / Hours Available

Full Time or Part Time

Area(s) of Town in which you can work

Any in area

Janitor

Leon Foster

8-9-05 A.S.A.P.

M-S 6AM-6PM Let

Full Time

(Any open)

### CONTACT INFORMATION

Your Name

Social Security Number

Mailing Address

City, State, Zip Code

Home Phone Number

Alternate Phone Number

Are you age 18 or older?

☒ Yes ☐ No

Upon hire, can you show proper documentation that you are legally authorized to accept employment in this country?

☒ Yes ☐ No

Have you ever worked for GCA Services Group, Sunstates Maintenance, Fidelity Maintenance, Southern Building Service, or Associated Building Services before?

NO

☐ Yes Dates: \_\_\_\_\_☒ No

### EDUCATION

#### HIGH SCHOOL

Name / Location of School

Auburn High 5110 Auburn St.

Received: ☒ Diploma ☐ Other (specify) \_\_\_\_\_☐ None

#### Job-Related Training or Coursework (VOCATIONAL, TRADE, BUSINESS, ETC.)

Name of School	City, State	Dates of Attendance (Mth / Yr)		Course of Study	Completed?	
		From	To		Yes	No

### BACKGROUND INFORMATION

Have you ever been convicted of any felonies and/or misdemeanors?

☐ YES☒ NO

If "yes", what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_

Date of Conviction? \_\_\_\_\_

Have you ever pled "guilty" to a crime, which is a felony or misdemeanor?

☐ YES☒ NO

If "yes", what charges? \_\_\_\_\_

Where? \_\_\_\_\_

Date of Conviction? \_\_\_\_\_

Note: A "yes" answer will not automatically bar you from employment. The nature, job-relatedness, severity, and date of the offense in relation to the position for which you are applying are considered.

**EMPLOYMENT HISTORY**

1. Name of Present or Most Recent Employer: DBA Peterson Concrete  
 Address: 8622 Indigo Ln Phone Number: (815) 494-8675  
 Position: Concrete Laborer Supervisor's Name and Title: Jason Peterson  
 From: 3/17/05 To: 7/7/05 May we contact him/her? ☒ Yes ☐ No  
 month day year month day year  
 Hourly Wage: \$16.00

Reason for Leaving: Lay off

2. Name of Next Previous Employer: Little Peoples Place  
 Address: 3218 11th St Phone Number: (815) 227-4907  
 Position: child care Aide Supervisor's Name and Title: LISA Wilson  
 From: 4/01/01 To: 5/17/03 May we contact him/her? ☒ Yes ☐ No  
 month day year month day year  
 Hourly Wage: \$8.69

Reason for Leaving: Business went out of Business.

3. Name of Next Previous Employer: Colonial Baking Company  
 Address: 526 Green St Phone Number: (815)  
 Position: Bun Oven operator Supervisor's Name and Title: Jim Williams  
 From: 1/9/90 To: 2/10/97 May we contact him/her? ☒ Yes ☐ No  
 month day year month day year  
 Hourly Wage: \$14.89

Reason for Leaving: Went out of Business Relocated out of Town.

**REFERENCES**

Please list two non-family personal references

Name	Personal Relationship	Telephone Number	Years of Acquaintance
<u>Beggie BATTLE (Friend)</u>		<u>(815) 670-3507</u>	<u>20yrs</u>
Name	Personal Relationship	Telephone Number	Years of Acquaintance
<u>Eddie Williams (Friend)</u>		<u>(815) 519-8997</u>	<u>17yrs</u>

**APPLICANT'S STATEMENT**

I understand that the employer follows an "employment at will" policy, in that I or the employer may terminate my employment at any time, or for any reason consistent with applicable state or federal law. I understand that this application is not a contract of employment. I understand that federal law prohibits the employment of unauthorized aliens; all persons hired must submit satisfactory proof of employment authorization and identity; failure to submit such proof will result in denial of employment.

I understand that the employer may thoroughly investigate and verify all data given on this application. I understand that GCA may conduct a criminal background check and require me to take a drug test. I authorize all individuals named therein, except my current employer if so noted, to provide any information requested about me, and I release them from all liability for damage in providing this information.

I certify that all the statements herein are true and understand that any falsification or willful omission shall be sufficient cause for dismissal or refusal of employment.

Your Signature: James Lamont Leach

Date: 8-8-05

OMB No. 1115-0136

U.S. Department of Justice  
Immigration and Naturalization Service

## Employment Eligibility Verification

Please read instructions carefully before completing this form. The instructions must be available during completion of this form. **ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

## Section 1. Employee Information and Verification. To be completed and signed by employee at the time employment begins.

Print Name: Last	First	Middle Initial	Maiden Name
Leach	James	L	
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
807 Lapp Ct		60101	
City	State	Zip Code	Social Security #
Rockford	IL	60101	

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

☒ A citizen or national of the United States

☐ A Lawful Permanent Resident (Alien # A \_\_\_\_\_)

☐ An alien authorized to work until \_\_\_\_/\_\_\_\_/\_\_\_\_ (Alien # or Admission #) \_\_\_\_\_

Employee's Signature: James Leach Date (month/day/year): \_\_\_\_\_

Preparer and/or Translator Certification. (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature	Print Name	Date (month/day/year)
Address (Street Name and Number, City, State, Zip Code)		

## Section 2. Employer Review and Verification. To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

List A	OR	List B	AND	List C
Document Title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): ____/____/____		____/____/____		____/____/____
Document #: _____		_____		_____
Expiration Date (if any): ____/____/____		____/____/____		____/____/____

**CERTIFICATION** - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) \_\_\_\_/\_\_\_\_/\_\_\_\_ and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
<u>Nancy Swanstrom</u>	<u>Nancy Swanstrom</u>	<u>Admin Assistant</u>
Business or Organization Name	Date (month/day/year)	
<u>SBM/GCA1438 BROOK DRIVE</u> <u>DOWNERS GROVE IL 60515</u>	<u>9/19/05</u>	

## Section 3. Updating and Reverification. To be completed and signed by employer.

A. New Name (if applicable)	B. Date of hire (month/day/year) (if applicable)
C. If employee's previous grant of work authorization has expired, provide the information below for this document that establishes current employment eligibility.	
Document Title: _____	Document #: _____ Expiration Date (if any): ____/____/____
I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.	
Signature of Employer or Authorized Representative	Date (month/day/year)

## Equal Employment Opportunity Survey

CONFIDENTIAL INFORMATION

Government agencies require periodic reports on the sex, ethnicity, disability and veteran status of applicants. Completion of this data is voluntary and will not affect your opportunity for employment, or terms or conditions of employment, if hired. Identification can be declared at any time prior to, or if applicable, after hire. Please return this page with your application.

Check one:

☒ Male

☐ Female

Check one of the following:

*Race/Ethnic Group:*

- ☐ **American Indian or Alaskan Native** - A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.
- ☐ **Asian** - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- ☒ **Black or African American** - A person having origins in any of the Black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."
- ☐ **Native Hawaiian or Other Pacific Islander** - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- ☐ **White (Caucasian)** - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- ☐ **Hispanic or Latino (All races)** - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- ☐ **Race missing or unknown** - Applies to Applicants only, where a resume or application that is screened is received without any racial or ethnic identification and no further contact is made with the applicant.

Please check one if it describes your veteran status

*Veteran Status:*

       **SPECIAL DISABLED VETERAN:** Means (A) a veteran who is entitled to compensation (or who, but for the receipt of military retired pay, would be entitled to compensation) under laws administered by the Department of Veteran Affairs for a disability rated at 10 or 20 percent in the case of a veteran who has been determined to have a serious employment disability or (B) a person who was discharged or released from active duty because of a service-connected disability.

       **VIETNAM ERA VETERAN:** means a veteran, any part of whose active military, naval, or air service, was during the period August 5, 1964 through May 7, 1975 who (1) served on active duty for a period of more than 180 days and was discharged or released there from with other than a dishonorable discharge, or (2) was discharged or released from active duty because of a service-connected disability. No veteran can be considered to be a veteran of the Vietnam era under this paragraph after Dec. 31, 1994.

*Personal and Confidential*

*This page contains sensitive information, store in secure "EEO" files, separately from personnel records!*

Acknowledgement of Receipt

I, James Lamont Leach, understand that as an employee of GCA Services Group I may be subject to pre-employment drug testing, post-accident drug testing, random drug testing, reasonable cause drug testing, and return-to-duty drug testing as described in Drug Testing Policy. I further understand that all screening tests for drugs will be subject to careful testing procedures.

I understand that if my test indicates a confirmed positive for illegal drugs, I will not be considered for employment, or in the event I am an employee at the time of the test I may be subject to disciplinary action up to and including termination, in accordance with the Drug Testing Policy.

I understand that I may request a copy of any tests taken, as part of the screening tests upon receipt of the results by the Drug Program Manager, from the laboratory.

I understand the results of these tests and other relevant medical information may be used for employment decisions. I hereby authorize the authorized laboratory to release results to the GCA Services Group Drug Program Manager. I further agree to hold GCA, its agents, officers and employees harmless from, and waive all claims existing and future for any, and all liability (including negligence) arising in connection with the testing for drugs and/or alcohol.

This is to be signed immediately prior to hire.

AGREED TO BY: James Lamont Leach  
Print Name:

9-19-05  
Date:

James Lamont Leach  
Sign Name:

WITNESS: Nancy Swanstrom  
Print Name:

9-19-05  
Date:

REFUSED BY: \_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Sign Name:

WITNESS: \_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Date:

REASONS FOR REFUSAL: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Revised 7/20/2005 C:\Documents and Settings\dfamendez-mitchell\Local Settings\Temporary Internet Files\OLKFB\Personnel Action Form - Hourly Field Employees (3).doc



GCA Services Group, Inc.™

#7733

PERSONNEL ACTION FORM  
HOURLY FIELD PERSONNEL

Date: 6/27/06 \*Division Name: Education \*Business Unit: 3678  
ROCKFORD  
 \*Name: Last Leach First James Middle L Social Sec #: [REDACTED] DOB: [REDACTED] \*Sex: M  
 Address: [REDACTED] Phone #: [REDACTED]  
 City: [REDACTED] \*State: [REDACTED] Zip: [REDACTED]

## CHECK ALL THAT APPLY

☐ New Hire ☐ Re-Hire ☐ Separation ☒ Salary Change ☐ Promotion ☐ Demotion ☐ Transfer  
☐ Personal Info Change ☐ LOA ☐ FMLA ☐ Bonus Award ☐ Other: \_\_\_\_\_

## NEW HIRE / REHIRE

\*Hire Date: \_\_\_\_\_ Employee #: \_\_\_\_\_ \*Position: \_\_\_\_\_ ☐ Hourly: \_\_\_\_\_ /hour

\*Reporting to (name & title): \_\_\_\_\_

\*Status: ☐ Full Time ☐ Part Time ☐ Temporary ☐ On Call \*Marital Status: \_\_\_\_\_

Allowances \_\_\_\_\_ Additional Federal Tax \_\_\_\_\_ \*Job Category: \_\_\_\_\_ \*Ethnicity: \_\_\_\_\_

Training Location: \_\_\_\_\_ Duration: \_\_\_\_\_ Training Contact: \_\_\_\_\_  
 Source of New Hire: ☐ Newspaper Advertisement ☐ Career Fair ☐ College or University ☐ Company Website ☐ Internet Recruiting ☐ Employee Referral ☐ Agency

## SEPARATION / LEAVE OF ABSENCE

\*Separation Date: \_\_\_\_\_ \*LOA Date: \_\_\_\_\_ \*Date Return: \_\_\_\_\_

☐ Resignation ☐ Termination ☐ Layoff \*Reason: \_\_\_\_\_

\*Number Vacation Days Due: \_\_\_\_\_ \*Rehire: ☐ Yes ☐ No Severance Payment: \_\_\_\_\_ Other Payment: ☐ Yes ☐ No

\*If Termination, has HR reviewed documentation: ☐ Yes ☐ No

\*If Resignation, has employee provided written notice: ☐ Yes ☐ No

## SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD

\*Effective Date: 7/1/06 \*Reason for Change: Annual Other: NA

Date Last Increase: \_\_\_\_\_ Percentage Last Increase: 3 % Bonus Award \$ \_\_\_\_\_

Present Salary 9.25 \*Increase Amt. 0.28 Percentage 3 % \*New Salary 9.53

Old Position NA New Position NA

## TRANSFER

\*Effective Date: \_\_\_\_\_ \*Company Relocation ☐ Yes ☐ No

Old Unit: \_\_\_\_\_ \*Old Unit #: \_\_\_\_\_ \*New Unit: \_\_\_\_\_ New Unit #: \_\_\_\_\_

## PERSONAL INFORMATION CHANGE

Revised 7/20/2005 C:\Documents and Settings\dfmendez-mitchell\Local Settings\Temporary Internet Files\OLKFB\Personnel Action Form - Hourly Field Employee (3).doc

Effective Date: \_\_\_\_\_ Name Change: \_\_\_\_\_ Phone #: \_\_\_\_\_

New Address: \_\_\_\_\_

**SIGNATURES**

Assistant Account  
Manager  
~~District~~  
~~Account Manager~~

Name: Nathan Morin Date: 6-27-06

Regional Manager

Name: Steve Grizuk Date: 6-27-06

Senior Regional  
Manager:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Other Manager / Director

Name: \_\_\_\_\_ Date: \_\_\_\_\_

HR Manager/Director:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Division President:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Senior Vice President

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Senior Vice President,  
HR & Administration

Name: \_\_\_\_\_ Date: \_\_\_\_\_

CFO / Controller

Name: \_\_\_\_\_ Date: \_\_\_\_\_

President & CEO:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Notes:

Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel whose positions are classified two (2) levels above the affected employee's position.

New hire notifications for hourly field personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel whose position is classified at least one level above the position for the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.



GCA Services Group, Inc.™

PERSONNEL ACTION FORM  
HOURLY FIELD PERSONNEL

Date Entered in GCAware: 7/31/06 Date Entered in JDE: 7/31/06 Copy to Payroll: 7/31/06 Copy to Benefits: 7/31/06  
Date: 7/26/06 \*Division Name: K-12 EDUCATION \*Business Unit: 3678-ROCKFORD  
\*Name: Last LEACH First JAMES Middle \_\_\_\_\_ Social Sec #: \_\_\_\_\_ DOB: \_\_\_\_\_ \*Sex: M  
Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
City: \_\_\_\_\_ \*State: \_\_\_\_\_ Zip: \_\_\_\_\_

CHECK ALL THAT APPLY

☐ New Hire ☐ Re-Hire ☐ Separation ☒ Salary Change ☐ Promotion ☐ Demotion ☐ Transfer  
☐ Personal Info Change ☐ LOA ☐ FMLA ☐ Bonus Award ☐ Other: \_\_\_\_\_

NEW HIRE / REHIRE

\*Hire Date: \_\_\_\_\_ Employee #: \_\_\_\_\_ \*Position: \_\_\_\_\_ ☐ Hourly: \_\_\_\_\_ /hour  
\*Reporting to (name & title): \_\_\_\_\_  
\*Status: ☐ Full Time ☐ Part Time ☐ Temporary ☐ On Call \*Marital Status: \_\_\_\_\_  
Allowances \_\_\_\_\_ Additional Federal Tax \_\_\_\_\_ \*Job Category: \_\_\_\_\_ \*Ethnicity: \_\_\_\_\_  
Training Location: \_\_\_\_\_ Duration: \_\_\_\_\_ Training Contact: \_\_\_\_\_  
Source of New Hire: ☐ Newspaper Advertisement ☐ Career Fair ☐ College or University ☐ Company Website ☐ Internet Recruiting ☐ Employee Referral ☐ Agency

SEPARATION / LEAVE OF ABSENCE

\*Separation Date: \_\_\_\_\_ \*LOA Date: \_\_\_\_\_ \*Date Return: \_\_\_\_\_  
☐ Resignation ☐ Termination ☐ Layoff \*Reason: \_\_\_\_\_  
\*Number Vacation Days Due: \_\_\_\_\_ \*Rehire: ☐ Yes ☐ No Severance Payment: \_\_\_\_\_ Other Payment: ☐ Yes ☐ No  
\*If Termination, has HR reviewed documentation: ☐ Yes ☐ No Amount \_\_\_\_\_  
\*If Resignation, has employee provided written notice: ☐ Yes ☐ No

SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD

\*Effective Date: 7/31/06 \*Reason for Change: PROMOTION Other: NA  
Date Last Increase: NA Percentage Last Increase: NA % Bonus Award \$ NA  
Present Salary \$9.53 \*Increase Amt. \$1.04 Percentage NA % \*New Salary \$10.70  
Old Position DAY PORTER (CUSTODIAN) New Position DAY MECHANIC

TRANSFER

\*Effective Date: \_\_\_\_\_ \*Company Relocation ☐ Yes ☐ No  
Old Unit: \_\_\_\_\_ \*Old Unit #: \_\_\_\_\_ \*New Unit: \_\_\_\_\_ New Unit #: \_\_\_\_\_

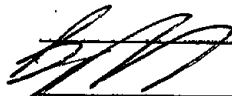
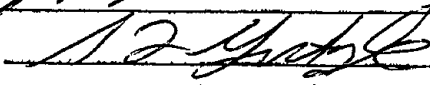
PERSONAL INFORMATION CHANGE

Revised 7/20/2006 C:\Documents and Settings\dfernandez-mitchell\Local Settings\Temporary Internet Files\OLK\FBI\Personnel Action Form - Hourly Field Employees (3).doc

Effective Date: \_\_\_\_\_ Name Change: \_\_\_\_\_ Phone #: \_\_\_\_\_

New Address: \_\_\_\_\_

**SIGNATURES**

Assistant Account Manager		Name: <u>Bill Milano</u>	Date: <u>7-26-06</u>
Account Manager		Name: <u>Steve Britton</u>	Date: <u>7-28-06</u>
Regional Manager		Name: _____	Date: _____
Senior Regional Manager		Name: _____	Date: _____
Other Manager / Director		Name: _____	Date: _____
HR Manager/Director		Name: _____	Date: _____
Vice President		Name: _____	Date: _____
Division President		Name: _____	Date: _____
Senior Vice President		Name: _____	Date: _____
Senior Vice President, HR & Administration		Name: _____	Date: _____
CFO / Controller		Name: _____	Date: _____
President & CEO		Name: _____	Date: _____

Notes:

Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel whose positions are classified two (2) levels above the affected employee's position.

New Hire Notifications for Hourly Field Personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel whose position is classified at least one level above the position of the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.



GCA Services Group, Inc.™

PERSONNEL ACTION FORM  
HOURLY FIELD PERSONNEL

Date Entered in GCAware: \_\_\_\_\_ Date Entered in JDE: \_\_\_\_\_ Copy to Payroll: \_\_\_\_\_ Copy to Benefits: \_\_\_\_\_

Date: 6/21/17 \*Division Name: Rockford Education \*Business Unit: 31678  
 \*Name: Last Loach First James Middle L Social Sec #: [REDACTED] DOB: [REDACTED] \*Sex: M  
 Address: [REDACTED] Phone #: [REDACTED]  
 City: [REDACTED] \*State: [REDACTED] Zip: [REDACTED]

## CHECK ALL THAT APPLY

☐ New Hire ☐ Re-Hire ☐ Separation ☐ Salary Change ☐ Promotion ☐ Demotion ☐ Transfer  
☐ Personal Info Change ☐ LOA ☐ FMLA ☐ Bonus Award ☐ Other: \_\_\_\_\_

## NEW HIRE / REHIRE

\*Hire Date: \_\_\_\_\_ Employee #: \_\_\_\_\_ \*Position: \_\_\_\_\_ ☐ Hourly: \_\_\_\_\_ /hour  
 \*Reporting to (name & title): \_\_\_\_\_  
 \*Status: ☐ Full Time ☐ Part Time ☐ Temporary ☐ On Call \*Marital Status: \_\_\_\_\_  
 Allowances \_\_\_\_\_ Additional Federal Tax \_\_\_\_\_ \*Job Category: \_\_\_\_\_ \*Ethnicity: \_\_\_\_\_  
 Training Location: \_\_\_\_\_ Duration: \_\_\_\_\_ Training Contact: \_\_\_\_\_  
 Source of New Hire: ☐ Newspaper Advertisement ☐ Career Fair ☐ College or University ☐ Company Website ☐ Internet Recruiting ☐ Employee Referral ☐ Agency

## SEPARATION / LEAVE OF ABSENCE

\*Separation Date: \_\_\_\_\_ \*LOA Date: \_\_\_\_\_ \*Date Return: \_\_\_\_\_  
☐ Resignation ☐ Termination ☐ Layoff \*Reason: \_\_\_\_\_  
 \*Number Vacation Days Due: \_\_\_\_\_ \*Rehire: ☐ Yes ☐ No Severance Payment: \_\_\_\_\_ Other Payment: ☐ Yes ☐ No  
 \*If Termination, has HR reviewed documentation: ☐ Yes ☐ No Amount: \_\_\_\_\_  
 \*If Resignation, has employee provided written notice: ☐ Yes ☐ No

## SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD

\*Effective Date: 7/1/07 \*Reason for Change: Union Increase Other: \_\_\_\_\_  
 Date Last Increase: \_\_\_\_\_ Percentage Last Increase: \_\_\_\_\_ % Bonus Award \$ NA  
 Present Salary 10.70 \*Increase Amt. .27 Percentage 2.5 % \*New Salary 10.97  
 Old Position NA New Position NA

## TRANSFER

Effective Date: \_\_\_\_\_ \*Company Relocation ☐ Yes ☐ No  
 Old Unit: \_\_\_\_\_ \*Old Unit #: \_\_\_\_\_ \*New Unit: \_\_\_\_\_ New Unit #: \_\_\_\_\_

## PERSONAL INFORMATION CHANGE

Revised 1/8/2007 X:\Staffing Documents\Personnel Action Forms\Personnel Action Form - Hourly Field Employees.doc

Effective Date: \_\_\_\_\_ Name Change: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 New Address: \_\_\_\_\_

**SIGNATURES**

Assistant Account Manager	_____	Name: _____	Date: _____
Account Manager	_____	Name: _____	Date: _____
Regional Manager	<i>Burt Allen</i>	Name: _____	Date: _____
Senior Regional Manager	<i>Steve Cristofari</i>	Name: _____	Date: 6-19-07
Other Manager / Director	_____	Name: _____	Date: 6-19-07
HR Manager/Director	_____	Name: _____	Date: _____
Vice President	_____	Name: _____	Date: _____
Division President	_____	Name: _____	Date: _____
Senior Vice President	_____	Name: _____	Date: _____
Senior Vice President, HR & Administration	_____	Name: _____	Date: _____
CFO / Controller	_____	Name: _____	Date: _____
President & CEO	_____	Name: _____	Date: _____

Notes:

Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel, whose positions are classified two (2) levels above the affected employee's position.

New hire notifications for Hourly Field Personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel, whose position is classified at least one level above the position of the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.



GCA Services Group, Inc.™

PERSONNEL ACTION FORM  
HOURLY FIELD PERSONNEL

Date Entered In GCAware: \_\_\_\_\_ Date Entered In JDE: \_\_\_\_\_ Copy to Payroll: \_\_\_\_\_ Copy to Benefits: \_\_\_\_\_

Date: 6/28/07 \*Division Name: K-12 EDUCATION \*Business Unit: 3678-ROCKFORD

Last First Middle Social Sec #: \_\_\_\_\_ DOB: \_\_\_\_\_ \*Sex: M  
\*Name: LERCH JAMES

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

City: \_\_\_\_\_ \*State: \_\_\_\_\_ Zip: \_\_\_\_\_

**CHECK ALL THAT APPLY**

☐ New Hire ☐ Re-Hire ☐ Separation ☐ Salary Change ☐ Promotion ☐ Demotion ☐ Transfer  
☐ Personal Info Change ☒ LOA ☐ FMLA ☐ Bonus Award ☐ Other: \_\_\_\_\_

**NEW HIRE / REHIRE**

\*Hire Date: \_\_\_\_\_ Employee #: \_\_\_\_\_ \*Position: \_\_\_\_\_ ☐ Hourly: \_\_\_\_\_ /hour

\*Reporting to (name & title): \_\_\_\_\_

\*Status: ☐ Full Time ☐ Part Time ☐ Temporary ☐ On Call \*Marital Status: \_\_\_\_\_

Allowances Additional Federal Tax \_\_\_\_\_ \*Job Category: \_\_\_\_\_ \*Ethnicity: \_\_\_\_\_

Training Location: \_\_\_\_\_ Duration: \_\_\_\_\_ Training Contact: \_\_\_\_\_

Source of New Hire: ☐ Newspaper Advertisement ☐ Career Fair ☐ College or University ☐ Company Website ☐ Internet Recruiting ☐ Employee Referral ☐ Agency

**SEPARATION / LEAVE OF ABSENCE**

\*Separation Date: 7/06/07 \*LOA Date: START-7/06/07 \*Date Return: 30 DAYS BY UNION CONTRACT

☐ Resignation ☐ Termination ☐ Layoff \*Reason: PERSONAL REASONS

\*Number Vacation Days Due: 0 \*Rehire: ☒ Yes ☐ No Severance Payment: NA Other Payment: ☐ Yes ☒ No

\*If Termination, has HR reviewed documentation: ☐ Yes ☐ No Amount

\*If Resignation, has employee provided written notice: ☐ Yes ☐ No NA

**SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD**

\*Effective Date: 7/6/07 \*Reason for Change: 7/06/07 PERSONAL REASONS Other: \_\_\_\_\_

Date Last Increase: \_\_\_\_\_ Percentage Last Increase: \_\_\_\_\_ % Bonus Award \$

Present Salary \_\_\_\_\_ \*Increase Amt. \_\_\_\_\_ Percentage \_\_\_\_\_ % \*New Salary \_\_\_\_\_

Old Position \_\_\_\_\_ New Position \_\_\_\_\_

**TRANSFER**

\*Effective Date: \_\_\_\_\_ \*Company Relocation ☐ Yes ☐ No

Old Unit: \_\_\_\_\_ \*Old Unit # \_\_\_\_\_ \*New Unit: \_\_\_\_\_ New Unit #:

**PERSONAL INFORMATION CHANGE**

Revised 1/8/2007 X:\Staffing Documents\Personnel Action Forms\Personnel Action Form - Hourly Field Employees.doc

Effective Date: \_\_\_\_\_ Name Change: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 New Address: \_\_\_\_\_

**SIGNATURES**

Assistant Account Manager	_____	Name: _____	Date: _____
Account Manager	<i>[Signature]</i>	Name: _____	Date: 7-9-07
Regional Manager	<i>[Signature]</i>	Name: _____	Date: 7-9-07
Senior Regional Manager	_____	Name: _____	Date: _____
Other Manager / Director	_____	Name: _____	Date: _____
HR Manager/Director	_____	Name: _____	Date: _____
Vice President	_____	Name: _____	Date: _____
Division President	_____	Name: _____	Date: _____
Senior Vice President	_____	Name: _____	Date: _____
Senior Vice President, HR & Administration	_____	Name: _____	Date: _____
CFO / Controller	_____	Name: _____	Date: _____
President & CEO	_____	Name: _____	Date: _____

Notes:

Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel, whose positions are classified two (2) levels above the affected employee's position.

New hire notifications for Hourly Field Personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel, whose position is classified at least one level above the position of the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.



## GCA Services Group™

Mr. Leach stated that he had a family emergency and had to leave. We were trying to work with him at the time of his leave. At no point in time and during the conversations about his leave of absence did he make mention of his desire to move into a management position.

### **GCA Services Group Advancement and Promotion Policy – Employee Handbook.**

GCA's goal is to promote employees from within the current workforce whenever possible. Once a vacancy is established, you may be considered for promotion provided you are qualified for such advancement

In making advancement to a new position, the demonstrated ability and overall qualifications of the applicant will be considered. The final decision on an applicant will be based upon the overall qualification of the applicant and the recommendation of the applicant's department manager.

In certain situations, an opening will occur that requires specialized skills and/or talents that do not currently exist within the company. In such cases, the company will utilize someone from outside the present work force.

### **GCA Services Group Position**

With respect to the charges filed with the EEOC – GCA Services Group feels strongly that the charges are not valid and has demonstrated and portrayed the facts related to the charge in this response.

Mr. Leach was promoted on 7/31/06 from a Custodian to a Day Mechanic based on GCA Services Group promotion/advancement policies. He had the opportunity to advance further – as does any GCA Services Group employee - but his performance did not warrant further advancement. He did not express any interest in a management position as stated in the above statements.

Any questions or additional information needed – Please call me.

*C. T. Simons*

Chuck Simons  
Senior Regional Operations/Labor Manager  
Midwest Division  
GCA Services Group  
Office – 630-629-4044  
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7099 3400 0014 4054 1955

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
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Total Postage & Fees	\$
Postmark Here	
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